

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

PRECIOUS MOMENTS, INC.

Plaintiff

CIVIL NO. 97-1635 (JAG)

v.

INFANTIL, INC., et al

Defendants

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CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, PR.

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ORDER

Co-defendant Muebleria Andalucia has filed a motion for summary judgment (Docket 173) and plaintiff Precious Moments filed a cross motion for summary judgment (Docket 179). The Court referred the pending motions to U.S. Magistrate Judge Aida Delgado for a report and recommendation. Upon careful review of the magistrate judge's report and recommendation the Court hereby adopts it in its entirety. Accordingly, Muebleria Andalucia's motion for summary judgment is **GRANTED** (Docket No. 173) and

  
Precious Moments motion for summary judgment is **DENIED** (Docket No. 179). The claims against Muebleria Andalucia are hereby dismissed with prejudice.

  
Under the provisions of Rule 510.2, Local Rules, District of Puerto Rico, any party who objects to a report and recommendation must file a written objection thereto with the Clerk of the Court

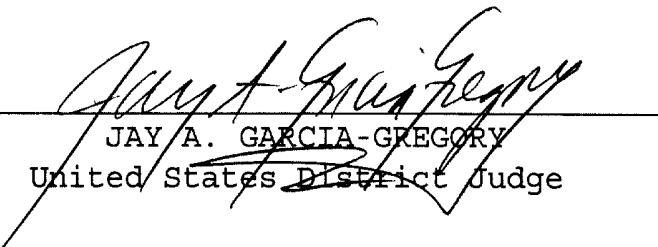
Civil No. 97-1653 (JAG)

2

within ten (10) days of the party's receipt of this report and recommendation. Failure to comply with this rule precludes further appellate review. See Thomas v. Am, 474 U.S. 140, 155 (1985), reh'g denied, 474 U.S. 1111(1986); Davet v. Maccorone, 973 F.2d 22, 30-31 (1st Cir. 1992). Here, Precious Moments has failed to submit written objections to any portion of the report. Further appellate review is, therefore, precluded. Partial Judgment shall be entered accordingly.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 25th day of June 2002.

  
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JAY A. GARCIA-GREGORY

United States District Judge